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Intellectual Property Law

AUG 18 2006

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## USPTO FACSIMILE TRANSMITTAL SHEET

Page 1 of 1

Docket No.: MASIMO.381A

CUSTOMER NO. 20995

Applicant : Christian Shulz et al.  
 App. No. : 10/631,882  
 Filed : July 31, 2003  
 For : Pulse Oximetry Ear Sensor  
 Examiner : Vikram P. Sundararaman  
 Group Art Unit : 3735

## CERTIFICATE OF FAX TRANSMISSION

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August 18, 2006

*Lauren Keller*  
 Lauren Keller, Reg. No. 56,553

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

(X) Non-Final Amendment/Response in 12 pages.

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Independent minus 3; or Previously Paid	6 - 4 = 2	1201 (\$200)	2 x 200 =	\$400
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*Lauren Keller*

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

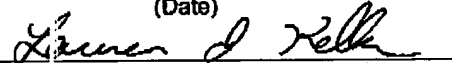
Appl. No. : 10/631,882  
Applicant(s) : Christian Shulz et al.  
Filed : July 31, 2003  
Examiner : Vikram P. Sundararaman  
Title : Pulse Oximetry Ear Sensor  
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Customer No. : 20,995

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**Mail Stop Amendment**  
Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO OFFICE ACTION DATED MAY 18, 2006**

Dear Sir:

In response to the Office action of May 18, 2006, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 8 of this paper.

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